

FILED
Clerk
District Court

JAN 23 2008

**UNITED STATES DISTRICT COURT
DISTRICT OF THE NORTHERN MARIANA ISLANDS**

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES of AMERICA,

Plaintiff,

v.

HUANG Tian Yun

Defendant.

Case No.: **CR 08 - 00004**

**AFFIDAVIT IN SUPPORT OF
COMPLAINT AND WARRANT
OF ARREST**

I, DANIEL G. HOLCOMB, a Special Agent with the Drug Enforcement Administration (DEA), after being duly sworn, depose and say as follows:

1. I am a Special Agent with the DEA and have been so employed for about eight and one-half years. I am assigned to the DEA's Saipan office, located in the Commonwealth of the Northern Mariana Islands. The following is based on my own investigation or was provided to me by other law enforcement officers who participated in and are familiar with this investigation.

2. On January 9, 2008, Special Agents (SA's) and Task Force Officers (TFO's) assigned to the DEA's Saipan office, in conjunction with detectives from the Commonwealth of the Northern Mariana Islands (CNMI) Department of Public Safety (DPS) debriefed a Confidential Source (CS) regarding narcotics traffickers on Tinian. The CS stated that s/he knew that a Chinese male, known to the CS only as "Ma," who was distributing methamphetamine from his residence, located in the Turn Key Housing development in San Jose Village on Tinian. At the conclusion of this investigation, law enforcement officers

1 identified "Ma" as HUANG Tian Yun). The CS stated that HUANG used telephone number
2 (670) 483-7068 to receive narcotics orders from customers.

3 3. At approximately 10:59 p.m., at the direction of surveillance officers, the CS
4 placed a recorded telephone call to HUANG and ordered \$200 of methamphetamine. HUANG
5 told the CS to meet him (HUANG) at his residence in the Turn Key Housing development.

6 4. Surveillance officers then searched the CS and his/her vehicle for large amounts
7 of currency or contraband with negative results. Surveillance officers then provided the CS
8 with instructions that s/he was to travel to HUANG's residence with TFO Daniel Punimata,
9 who would be acting in an undercover capacity, meet with HUANG and purchase the
10 methamphetamine. Surveillance officers equipped the CS with digital recording and
11 transmitting devices, and they also provided TFO Punimata with \$200 of Official Advance
Funds (advance funds).

12 5. The CS and TFO Punimata then left the meeting area enroute to HUANG's
13 residence under surveillance from law enforcement officers. At approximately 11:15 p.m.,
14 surveillance officers saw the CS and TFO Punimata arrive at HUANG's residence.
15 Surveillance officers saw HUANG approach the CS, who remained in his/her vehicle with
16 TFO Punimata, and converse with the CS. While HUANG was speaking to the CS, TFO
17 Punimata handed the CS the \$200 advance funds, which the CS gave to HUANG. Surveillance
18 officers then watched HUANG walk to the garage area of his residence, where he remained for
19 a few seconds. HUANG then walked back to the CS' vehicle and handed the CS a Tinian
20 Dynasty matchbook that contained four cut-off plastic straws. Each of the straws contained a
21 crushed, glass-like substance. The CS handed the matchbook to TFO Punimata, and then the
CS and TFO Punimata left the area under surveillance from law enforcement officers.

22 6. When the CS and TFO Punimata arrived at a pre-arranged meeting location, SA
23 Holcomb retrieved the matchbook with the four cut-off plastic straws containing the crushed,
24 glass-like substance from TFO Punimata. The four packages weighed approximately 0.6
25 grams and the crushed, glass-like substance field-tested positive for methamphetamine.

1 7. On January 10, 2008, SA's and TFO's from the Saipan OFFICE, in conjunction
2 with CNMI DPS detectives, planned another controlled purchase of methamphetamine from
3 HUANG. At approximately 2:44 p.m., the CS, at the direction of surveillance officers, placed
4 a recorded telephone call to HUANG at telephone number (670) 483-7068. During the
5 conversation, the CS ordered \$200 of methamphetamine from HUANG. HUANG directed the
6 CS to meet him (HUANG) at his residence in the Turn Key Housing development.

7 8. Surveillance officers then searched the CS and his/her vehicle for large amounts
8 of currency or contraband with negative results. Surveillance officers then provided the CS
9 with instructions that s/he was to travel to HUANG's residence with TFO Daniel Punimata,
10 who would be acting in an undercover capacity, meet with HUANG and purchase the
11 methamphetamine. Surveillance officers equipped the CS with digital recording and
12 transmitting devices, and they also provided TFO Punimata with \$300 of Official Advance
Funds (advance funds).

13 9. The CS and TFO Punimata then left the meeting area enroute to HUANG's
14 residence under surveillance from law enforcement officers. At approximately 3:00 p.m.,
15 surveillance officers saw the CS and TFO Punimata arrive at HUANG's residence. HUANG
16 approached the CS' vehicle and spoke with the CS, who remained in his/her vehicle with TFO
17 Punimata. While HUANG was speaking to the CS, TFO Punimata handed HUANG \$200
18 advance funds. HUANG then handed TFO Punimata a red Chinese cigarette box that
19 contained four cut-off plastic straws. Each plastic straw contained a crushed, glass-like
20 substance. The CS and TFO Punimata then left HUANG's residence under law enforcement
surveillance.

21 10. When the CS and TFO Punimata arrived at a pre-arranged meeting location, SA
22 Holcomb retrieved the cigarette box with the four cut-off plastic straws containing the crushed,
23 glass-like substance from TFO Punimata. The four packages weighed approximately 0.5
24 grams and the crushed, glass-like substance field-tested positive for methamphetamine.
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1 11. After conducting the two controlled purchases described above, CNMI DPS
2 detectives prepared an affidavit in support of a CNMI Superior Court search warrant for
3 HUANG's residence and a CNMI Superior Court arrest warrant for HUANG. On January 10,
4 2008, at approximately 6:00 p.m., CNMI DPS detectives received the search and arrest
5 warrants from the CNMI Superior Court.

6 12. On January 10, 2008, at approximately 8:00 p.m., SA's and TFO's from the
7 Saipan office, in conjunction with CNMI DPS detectives, planned a buy-bust operation of
8 HUANG. TFO Punimata, who would be acting in an undercover capacity, was provided with
9 \$50 of advance funds to purchase methamphetamine from HUANG. At approximately 9:30
10 p.m., surveillance officers equipped TFO Punimata with digital recording and transmitting
11 devices, and TFO Punimata and the CS then drove towards HUANG's residence while under
12 law enforcement surveillance.

13 13. At approximately 9:30 p.m., while enroute to HUANG's residence, the CS, at the
14 direction of surveillance officers, placed a telephone call to HUANG at telephone number
15 (670) 483-7068 to determine if he was home. During the conversation, the CS attempted to
16 order \$200 of methamphetamine from HUANG, but HUANG told the CS that he only had a
17 small amount of methamphetamine available. The CS then ordered \$50 of methamphetamine
18 from HUANG. HUANG directed the CS to come to his residence to get the methamphetamine.

19 14. Immediately after the CS spoke to HUANG, the CS and TFO Punimata drove to
20 HUANG's residence. TFO Punimata parked his vehicle in HUANG's driveway. HUANG
21 approached TFO Punimata and spoke to TFO Punimata through the driver's side window.
22 TFO Punimata showed HUANG \$50, and HUANG showed TFO Punimata a cut-off plastic
23 straw that contained a crushed glass-like substance. HUANG then reached into the driver's
24 side window to conduct the hand-to-hand exchange with TFO Punimata. At the same time,
25 TFO Punimata provided the arrest signal to surveillance officers.

 15. As soon as surveillance officers announced their presence to HUANG, HUANG
dropped the cut-off plastic straw and fled on foot into the jungle, where he was arrested a short

1 time later. After apprehending HUANG, surveillance officers recovered the cut-off plastic
2 straw with the crushed, glass-like substance from the driveway area where HUANG met with
3 TFO Punimata. The straw weighed approximately 0.2 grams, and the crushed-glass-like
4 substance field-tested positive for methamphetamine.

5 16. Surveillance officers then executed the search warrant for HUANG's residence.
6 Inside HUANG's residence, surveillance officers recovered a make-shift cardboard scoop that
7 was covered in a crushed, powdery residue that appeared to be methamphetamine. Surveillance
8 officers also recovered multiple ziplock bags and aluminum foil, which based on my training
9 and experience are commonly used to package methamphetamine, from inside HUANG's
10 residence.

11 17. Based on the foregoing information, there is probable cause to believe that
12 HUANG has violated 21 U.S.C. §§ 841(a) and (b)(1)(C).



DANIEL G. HOLCOMB, Special Agent
Drug Enforcement Administration

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16 SUBSCRIBED and SWORN to before me this 23RD day of January, 2008.

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18 ALEX R. MUNSON
19 UNITED STATES DISTRICT JUDGE
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